



IDAHO FISH AND GAME COMMISSION

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Stephen P. Mealey
Director

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Upper Snake Region
Terreton, Idaho

John E. Burns
Salmon Region
Carmen, Idaho

October 3, 1997

Dr. Christopher Servheen
U.S. Fish and Wildlife Service Project Leader
Bitterroot Grizzly Bear EIS
P.O. Box 5127
Missoula, Montana 59806

Re: *Grizzly Bear Recovery in the Bitterroot Ecosystem* Draft Environmental Impact Statement

Dear Dr. Servheen:

The Idaho Fish and Game Commission (Commission) has reviewed the proposal for reestablishment of the grizzly bear in the Bitterroot ecosystem in Idaho, and has grave concerns about the Proposed Action (Alternative 1) as identified in the DEIS and about the DEIS itself. These concerns can be quickly summarized from Director Mealey's letter to the Commission (enclosed). They include the following key points.

1. Key points:

- No biological evidence is presented that the identified recovery area provides sufficient habitat to achieve grizzly bear population recovery objectives.
- Much of the proposed recovery area (that portion south of the Salmon River) has not been analyzed relative to its suitability for grizzly bears; much of the area analyzed has been excluded from the proposed recovery area. Analysis does not match the Proposed Action; this constitutes a procedural violation of NEPA.
- Lack of critical analysis may put reintroduced bears and bear recovery at increased risk.

Major Conclusion 1: The Commission urges the Service to immediately withdraw this DEIS from public comment since it lacks a scientifically valid evaluation of habitat suitability of the recovery area. A reliable assessment of environmental consequences is also lacking.

2. Key point:

2

- Grizzly bear recovery may conflict with salmon and steelhead recovery programs and with existing National Marine Fisheries Service directives.

Major Conclusion 2: Any consideration of grizzly bear reintroduction should therefore be ended until this apparent conflict is resolved.

3. Key point:

3

- Special Rule restrictions could preclude operation of a "real" Citizen Management Committee to ensure that Idaho input is fully considered in important Idaho grizzly bear management decisions.

Major Conclusion 3: The Commission believes that any Citizen Management Committee should include IDFG and Idaho citizens with a 'real' delegation of authority regarding grizzly bear-related management in the Bitterroot ecosystem.

4. Key points:

- Uncertainty about the habitat results in questionable validity of identified environmental consequences which precludes reasoned comparison of alternatives, and this constitutes a fatal flaw under NEPA.
- Experience indicates that necessary management/monitoring funds may not be available once introductions have taken place.

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Major Conclusion 4: The Commission urges the Service to withdraw the DEIS from public comment until it can provide assurances that the State of Idaho would be provided with funding sufficient to conduct all necessary monitoring and all necessary management actions in both the short and long terms.

5. Key point:

5

- It is inappropriate to move grizzly bears from populations wherein recovery goals have not been met, and assurances must be provided that Idaho will not become a depository for problem bears from elsewhere.

Major Conclusion 5: The Commission opposes any proposal that would allow the Bitterroot ecosystem to be used as a depository for problem grizzly bears, or which would allow any transplant of bears from populations wherein recovery goals have not been met.

6. Key point:

- 6 ■ Economic impact assessments in the DEIS inappropriately confound real dollar losses with 'imaginary' monetary benefits.

Major Conclusion 6: Any economic analysis must be a true analysis of the Proposed Action based on real-dollar economic impacts as measured in the marketplace; 'willingness-to-pay' statistics must be identified as non-market indices of the social desires of only some segments of the population.

7. Key point:

- 7 ■ The Commission believes that, provided that the Bitterroot ecosystem does indeed provide suitable habitat for grizzly bears, recolonization of this area should occur naturally, and that establishment of an experimental population under Special Rule is inappropriate.

Major Conclusion 7: The Commission will support only an alternative that features natural recolonization of grizzly bears in the Bitterroot ecosystem under the management of a 'real' Citizen Management Committee, thus incorporating features of Alternative 1 (without reintroduction of grizzly bears) and Alternative 2.

In closing, the Commission wishes to clearly state that it is strongly opposed to grizzly bear reintroduction into the Bitterroot ecosystem. The Commission's official position states:

The Commission reaffirms its unequivocal opposition to reintroduction of grizzly bears into Idaho. The Department will continue to participate in the Grizzly Bear Oversight Committee process established by the Idaho Legislature, and in other grizzly bear-related activities that could affect Department programs. The Commission and Department will oppose any actions that allow grizzly bear recovery to significantly interfere with hunting or fishing opportunities in Idaho. [Approved and adopted by the Idaho Fish and Game Commission on May 8, 1997.]

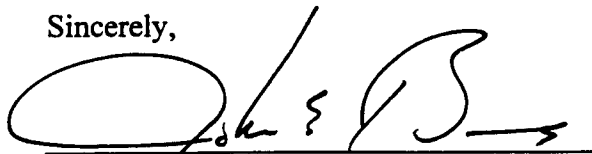
Dr. Christopher Servheen

October 3, 1997

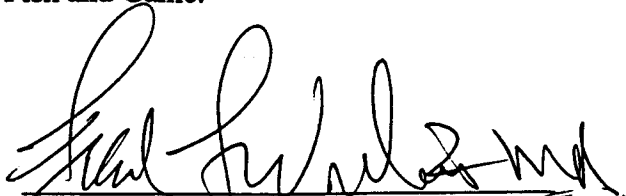
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Thank you for the opportunity to comment on this proposal. Please direct any questions to Mr. Stephen P. Mealey, Director, Idaho Department of Fish and Game.

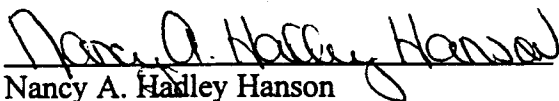
Sincerely,




John Burns, Chairman
Idaho Fish and Game Commission



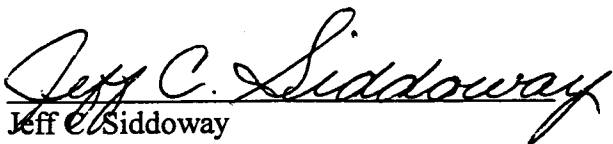
Fred L. Wood, III, M.D., Vice Chairman
Idaho Fish and Game Commission



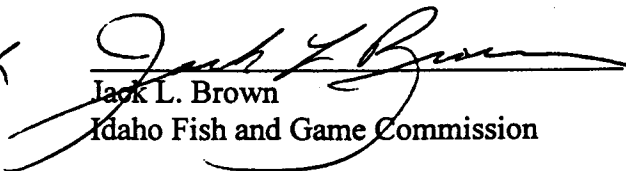
Nancy A. Hadley Hanson
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Enclosures

burnseis.ltr



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707-0025

Philip E. Batt / Governor
Stephen P. Mealey / Director

September 30, 1997

John Burns, Chairman
Idaho Fish and Game Commission
Box 264
Carmen, ID 83462

RE: *Grizzly Bear Recovery in the Bitterroot Ecosystem* Draft Environmental Impact Statement

Dear Commissioner Burns:

Idaho Department of Fish and Game (IDFG) staff have thoroughly reviewed the *Grizzly Bear Recovery in the Bitterroot Ecosystem* Draft Environmental Impact Statement (DEIS), and their concerns have been forwarded to me. Please share them with Fish and Game Commissioners.

The Special Rule (Appendix 13) identified the recovery area as consisting of approximately 5,785 square miles in the Selway-Bitterroot and Frank Church-River of No Return Wilderness areas. The Special Rule (last paragraph, page 6-116) states: "The recovery goal for the Bitterroot grizzly bear population would be consistent with the habitat available in the recovery area" The inference is that the recovery area is both necessary and sufficient for a minimum acceptable population of grizzly bears, since bears inhabiting the area outside the designated recovery area could be eliminated if they caused problems, in accordance with the Special Rule. This DEIS must demonstrate that the recovery area is both necessary and sufficient for a minimum acceptable population of grizzly bears, based on scientific review of habitat and management data. However, nowhere on pages 2-15, 2-16, 3-15, and 3-16 (or elsewhere in the DEIS) is information presented to show that the recovery area, exclusively, is sufficient to sustain a minimum acceptable population of grizzly bears. Instead, the DEIS states on pages 2-15 and 2-16 that "... forested lands within the recovery area, and adjacent public lands is approximately 15,000 square miles. Together these areas are of sufficient size to allow for grizzly bear recovery." The DEIS fails to present data that lead to such a conclusion even for the expanded, 15,000 square mile area. Rather, the DEIS draws on data referring to habitat suitability only in the 5,500 square mile Bitterroot Grizzly Bear Evaluation Area which includes only northern portions of the recovery area (portions of the Selway-Bitterroot and Frank Church-River of No Return Wilderness north of the Salmon River); i.e., only one-third or less of an undefined 15,000 square mile area was evaluated relative to grizzly bear habitat suitability. Further, no data on habitat suitability in those portions of the recovery area that lie south of the Salmon River in the Frank Church-River of No Return Wilderness is presented. The clear implication is that the identified 5,785 square mile recovery area may be insufficient to achieve grizzly bear population objectives, and as a result the expected necessary suitability of the area for

recovery of grizzly bears is highly uncertain. This point is further strengthened by the fact that the recovery area excludes a large area north of the Lochsa River evaluated by Davis and Butterfield (1991) as suitable grizzly bear habitat and considered by many as superior. Further, it appears that the Proposed Action compromises requirements established by the Special Rule for establishment of a nonessential experimental population. The DEIS does not demonstrate that the recovery area can meet all conditions to assure that available habitats are necessary and sufficient to assure reestablishment of a grizzly bear population (as required by Special Rule); **it also fails to assess the impact of reintroduction efforts on the bears themselves, particularly relative to habitat suitability including sufficient food resources to ensure survival of a reintroduced population, and therefore may jeopardize individual grizzly bears and grizzly bear recovery efforts.** The uncertainty introduced by these considerations precludes any meaningful assessment of environmental consequences of the Proposed Action, and no reasoned distinction among alternatives or environmental consequences appears possible. These factors lead IDFG to conclude that this DEIS, and the Proposed Action in particular, are fundamentally and fatally flawed; i.e., biological data sufficient to demonstrate the suitability of the recovery area to meet objectives is not presented; impacts on the grizzly bear population to be established is not presented, and because of the resultant uncertainty, any grizzlies reintroduced to this area would be placed at high risk and the interest of grizzly bear recovery would be uncertain at best. IDFG believes that prior to any Record of Decision, an adequate biological assessment of the proposed recovery area must be completed and subjected to peer review, and, further, that an objective analysis of the environmental consequences of the proposed action based on this revised assessment must be presented.

Major Conclusion 1: IDFG urges the Service to immediately withdraw this DEIS from public comment since it lacks a scientifically valid evaluation of habitat suitability of the recovery area. A reliable assessment of environmental consequences is also lacking.

No consideration is provided in the DEIS to potential conflicts with salmon and steelhead recovery programs also being conducted within the area affected by the Proposed Action. Even though the risks of reintroduced grizzly bears to listed salmon and steelhead would likely be low, some risk would exist. In light of National Marine Fisheries Service (NMFS) decisions to issue "no incidental take" directives to many land management and land use projects and proposals affecting recovery area and nearby land, it can be presumed that the NMFS 'zero risk' approach to listed salmon and steelhead must be taken seriously.

Major Conclusion 2: Any consideration of grizzly bear reintroduction should be ended until this apparent conflict is resolved.

IDFG strongly supports collaborative decision-making and compliments all who pursue it. However, the '10(j) rule' (Draft EIS Appendix 13) fails to guarantee that Idaho citizens would have real authority to strongly influence all important decisions regarding grizzly bear management in Idaho. This is borne out in the DEIS (page 6-117, paragraph 2): "... the Secretary, who necessarily retains final responsibility and authority for implementation of the Act, may find that the decision, plan, or implementation of a plan are inadequate for recovery and may resume management responsibility." This raises two critical issues: (1) if the delegation of authority is NOT real, then the entire concept

of citizen management as represented in the DEIS is flawed, assumptions about citizens acting in their own best interests are suspect, and as a result there is a high degree of uncertainty about whether or not the intent of the Proposed Alternative could, or would be achieved, and (2) most of the environmental consequences in Chapter 4 are based on the premise that Citizen Management Committee decisions in managing a nonessential experimental population would have minimal effects on human health and safety, land use activities, private property rights and management, wildlife, public access, recreation, economic, and social activities. This all assumes that delegation of authority from the Secretary of Interior would be 'real.' If delegation of 'real' management authority does not occur, it is highly uncertain that the environmental consequences as identified in the DEIS are accurate. The net effect of these twin concerns is that, with uncertain environmental consequences, it is difficult or impossible to make reasoned judgements among alternatives, and the fundamental intent of NEPA cannot be met with this DEIS.

Major Conclusion 3: IDFG believes that any Citizen Management Committee should include IDFG and Idaho citizens with a 'real' delegation of authority regarding grizzly bear-related management in the Bitterroot ecosystem.

IDFG is concerned that the Service, if it should select an action alternative, may take actions that financially obligate the State of Idaho without a commitment to provision of funds necessary to finance those actions. This concern is based on recent (and ongoing) experience with wolf reintroduction into Idaho and with other listed species.

Major Conclusion 4: IDFG urges the Service to withdraw the DEIS from public comment until it can provide assurances that the State of Idaho would be provided with funding sufficient to conduct all necessary monitoring and all necessary management actions in both the short and long terms.

It is inappropriate that grizzly bears moved from another grizzly bear recovery area (i.e., the Northern Continental Divide or Yellowstone Ecosystems) should be counted as 'mortalities' against the recovery of grizzly bears in those ecosystems. If such bears are surplus to population recovery objectives, they should not be counted as mortalities against recovery; if they are not surplus to recovery needs, they should not be subjected to the risks of translocation.

Major Conclusion 5: IDFG opposes any proposal that would allow the Bitterroot ecosystem to be used as a depository for problem grizzly bears, or which would allow any transplant of bears from populations wherein recovery goals have not been met.

Cost:benefit analyses presented in this DEIS confuse the reader by mixing real-dollar economic impacts to the region with hypothetical 'willingness-to-pay' welfare statistics as used by Duffield and others (DEIS, pages 4-19 through 4-23). The effect of confounding real-market economic measures with hypothetical 'willingness-to-pay' measures is to confuse real-dollar economic measures with some unfounded measure of perceived social good; i.e., offsetting real out-of-pocket costs against a percentage of what some sample of the population at large tells someone they are willing to pay, knowing full well that they will never, in fact, have to actually pay anything to anyone (see Table 4-5; note especially footnotes c and d). This approach yields fantastic estimates of benefits (\$166,553,834 nationally; see Table 4-5) by extrapolation to a huge population. Critics have

identified that 'willingness-to-pay' is not a true economic measure, since (1) no real dollars are exchanged, (2) there is no market, and (3) there is no measurable economic impact. Readers of this DEIS deserve an opportunity to estimate accurately the market-based economic impact of this proposed action on local economies.

Major Conclusion 6: Any economic analysis must be a true analysis of the Proposed Action based on real-dollar economic impacts as measured in the marketplace; 'willingness-to-pay' statistics must be identified as nonmarket indices of the social desires of only some segments of the population.

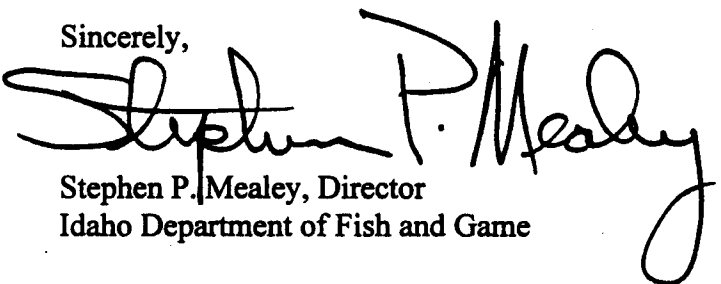
Finally, the IDFG would only support a new and different alternative. IDFG believes that grizzly bear occurrence in the Bitterroot Ecosystem should result from natural dispersal and that if it takes place, it should be in a management framework in which IDFG and Idaho citizens actively and fully participate in all important bear management decisions, and have 'real' authority to make decisions appropriate to grizzly bear recovery.

Major Conclusion 7: IDFG will support only an alternative that features natural recovery of grizzly bears in the Bitterroot ecosystem under the management of a 'real' Citizen Management Committee, thus incorporating features of Alternative 1 (without reintroduction of bears) and Alternative 2.

In closing, IDFG supports the Commission's official position on grizzly bear reintroduction, which states:

The Commission reaffirms its unequivocal opposition to reintroduction of grizzly bears into Idaho. The Department will continue to participate in the Grizzly Bear Oversight Committee process established by the Idaho Legislature, and in other grizzly bear-related activities that could affect Department programs. The Commission and Department will oppose any actions that allow grizzly bear recovery to significantly interfere with hunting or fishing opportunities in Idaho. [Approved and adopted by the Idaho Fish and Game Commission on May 8, 1997.]

Sincerely,



Stephen P. Mealey, Director
Idaho Department of Fish and Game

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